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Husch & Eppenberger LLC

HUSCH & EPPENBERGER, LLC
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In re Application of BAILEY et al
U.S. Application No.: 10/509,788
PCT Application No.: PCT/US02/40107
Int. Filing Date: 16 December 2002
Priority Date Claimed: 12 April 2002
Attorney Docket No.: 60096-011
For: APPARATUS AND METHOD FOR
FILTERING PARTICULATE AND
REDUCING NO_x EMISSIONS

COMMUNICATION

file response
8/8/05
deb 6/13/05

This application is before the Office of PCT Legal Administration for consideration of issues arising under 35 U.S.C. 371.

BACKGROUND

On 16 December 2002, applicant filed international application PCT/US02/40107, which claimed priority of an earlier United States application filed 12 April 2002. The thirty-month period for paying the basic national fee in the United States expired on 12 October 2004.

On 01 August 2003, the United States Designated/Elected Office (DO/EO/US) received national stage papers for international application PCT/US02/40107 from the above-identified law firm. The Transmittal Letter identified the attorney docket number as "60096-008".

On 30 September 2004, DO/EO/US received national stage papers international application PCT/US02/40107 from the above-identified law firm. The Transmittal Letter identified the attorney docket number as "60096-011".

DISCUSSION

The submission of two different sets of application papers to enter the national stage in the United States was improper.

CONCLUSION

A proper response must be filed within TWO (2) MONTHS from the mail date of this communication. A proper response must specify which application will continue to be processed under 35 U.S.C. 371. Failure to timely file a proper response will result in ABANDONMENT of the applications. Extensions of time are available under 37 CFR 1.136(a).

Please direct further correspondence with respect to this matter to Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.



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